

Status of the claims

Claims 1-64 are pending in the present application, with Claims 1 and 39 being independent. Claims 20-38 and 60-62 have been withdrawn from further consideration. Claims 1, 19, 39, and 56 have been amended.

Requested Action

Applicants request favorable reconsideration of the subject application in view of the foregoing amendments and the following remarks.

New Art

Applicants are filing herewith an Information Disclosure Statement citing U.S. Patent No. 6,178,042, which corresponds to previously-cited Japanese Patent No. 10-2069933. Applicants request that the Examiner consider and cite this patent in the next Office Action.

Formal Objections and Rejection

The disclosure is objected to because the Summary of the Invention is too long. In response, the Summary of the Invention has been shortened, thereby overcoming this objection.

Claims 19 and 56 are rejected under 35 U.S.C. § 112, second paragraph, because it is unclear how a reflecting member is made from a transparent body, as recited in the last two lines of Claim 19. In response, while not conceding the propriety of the rejection, Claims 19 and 56 have been amended to address the points raised by the Examiner. Applicants submit that as amended, these claims now even more clearly satisfy 35 U.S.C. § 112, second paragraph.

Claim 42/42/40/39 is objected to under 37 C.F.R. 1.75 as being a substantial duplicate of Claim 5/4/3/2/1. Claim 44/43/40/39 is objected to under 37 C.F.R. 1.75 as being a substantial duplicate of Claim 7/6/3/2/1. Claim 46/45/40/39 is objected to under 37 C.F.R. 1.75 as being a substantial duplicate of Claim 9/8/3/2/1. Claim 48/47/40/39 is objected to under 37 C.F.R. 1.75 as being a substantial duplicate of Claim 11/10/3/2/1. In response, these objections are respectfully traversed because Applicants submit that Claims 42/42/40/39, 44/43/40/39, 46/45/40/39, and 48/47/40/39 are not identical to Claims 5/4/3/2/1, 7/6/3/2/1, 9/8/3/2/1, and 11/10/3/2/1, respectively, because these former claims fail to recite that the interval between the first and second transparent bodies is not uniform, as do the latter claims. Therefore, Applicants respectfully request that these objections be withdrawn.

Substantive Rejection

Claims 1-5, 12-19, 39-42, 49-59, 63, and 64 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Japanese Laid-Open Patent Application No. 10-206933, previously cited, in view of U.S. Patent No. 5,886,824 (Takahashi). Claims 1-3, 10-19, 39, 40, 47-59, 63, and 64 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Japanese Laid-Open Patent Application No. 11-211998 in view of the patent to Takahashi. Claims 6-9 and 43-46 are rejected as being unpatentable over Japanese Laid-Open Patent Application No. 10-206933 in view of the patent to Takahashi and Japanese Laid-Open Patent Application No. 11-211998.

Response to Substantive Rejections

In response, while not conceding the propriety of the rejections, independent Claims 1 and 39 have been amended. Applicants submit that as amended, these claims are allowable for the following reasons.

Independent Claim 1 relates to a viewfinder optical system comprising an objective lens unit for inverting an object image, an image inverting unit for converting the inverted object image formed via the objective lens unit into a non-inverted erecting image, and an eyepiece lens unit for observing the non-inverted erecting image. The image inverting unit comprises a first transparent body and a second transparent body which are disposed with an interval put therebetween, the second transparent body having only a function of transmitting a ray of light.

Claim 1 has been amended to recite that the system is for facilitating a reduction in the size an optical system to which the viewfinder optical system is attached without increasing at least one of the incidence of ghost images and decentering aberration. Claim 1 has also been amended to recite that the image inverting unit restrains creation of at least one of ghost images and decentering aberration caused by the interval between the first transparent body and second transparent body by making the interval between the first transparent body and the second transparent body not uniform.

Independent Claim 39 relates to a viewfinder optical system comprising an objective lens unit for inverting an object image, an image inverting unit for converting the inverted object image formed via the objective lens unit into a non-inverted erecting image, and an eyepiece lens unit for observing the non-inverted erecting image. The image inverting unit comprises a first

transparent body and a second transparent body which are disposed with an interval put therebetween, the second transparent body having only a function of transmitting a ray of light.

Claim 39 has been amended to recite that the system is for facilitating a reduction in the size an optical system to which the viewfinder optical system is attached without increasing at least one of the incidence of ghost images and decentering aberration. Claim 39 has also been amended to recite that the image inverting unit restrains creation of at least one of ghost images and decentering aberration caused by the interval between the first transparent body and the second transparent body by making at least one surface of the first transparent body and the second transparent body a rotationally-asymmetrical surface.

In contrast, Japanese Laid-Open Patent Application No. 10-206933, U.S. Patent No. 5,886,824 (Takahashi), and Japanese Laid-Open Patent Application No. 11-211998 do not relate to a viewfinder optical system for facilitating a reduction in the size an optical system to which the viewfinder optical system is attached without increasing at least one of the incidence of ghost images and decentering aberration, as recited by amended Claims 1 and 39. In addition, none of these patents was cited in the Office Action to disclose a non-uniform interval between first and second transparent bodies of an image inverting unit, as recited by amended Claim 1. Further, the Takahashi patent, which was cited to show an asymmetric surface, does not disclose that an image inverting unit restrains creation of at least one of ghost images and decentering aberration caused by the interval between the first transparent body and the second transparent body by making at least one surface of the first transparent body and the second transparent body a rotationally-asymmetrical surface, as recited by amended Claim 39.

The failure of these references to disclose or suggest at least these three features proves fatal to establishing a prima facie case of obviousness against amended Claims 1 and 39, since MPEP §2142, requires that:

To establish a prima facie case of obviousness... the prior art reference (or references when combined) must teach or suggest all the claim limitations.

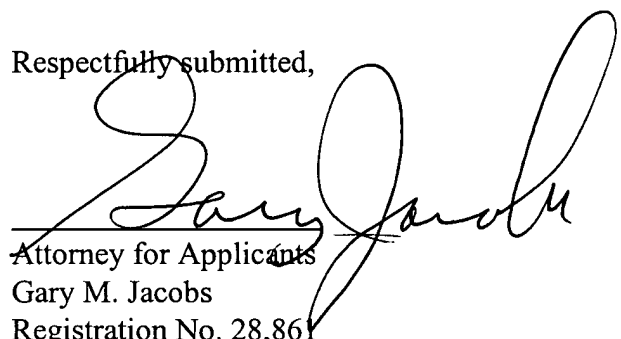
For these reasons, amended Claims 1 and 39 are allowable over the cited art.

The dependent claims are allowable for the reasons given with respect to the independent claims and because they recite features which are patentable in their own right. Individual consideration of the dependent claims is respectfully solicited.

In view of the above amendments and remarks, the claims are now in allowable form. Therefore, early passage to issue is respectfully solicited.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,



Attorney for Applicants
Gary M. Jacobs
Registration No. 28,861

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

GMJ/llp DC_MAIN 96697

MARKED-UP CLAIMS SHEET

1. (Amended) A viewfinder optical system for facilitating a reduction in the size an
optical system to which said viewfinder optical system is attached without increasing at least one
of the incidence of ghost images and decentering aberration, comprising:

an objective lens unit for inverting an object image;

an image inverting unit for converting the inverted [an] object image formed via said
objective lens unit into a non-inverted erecting image; and

an eyepiece lens unit for observing the non-inverted erecting image,

wherein said image inverting unit comprises a first transparent body and a second
transparent body which are disposed with an interval put therebetween, said second transparent
body having only a function of transmitting a ray of light, and

wherein said image inverting unit restrains creation of at least one of ghost images and
decentering aberration caused by the interval between said first transparent body and second
transparent body by making the interval between said first transparent body and said second
transparent body [is] not uniform.

19. (Amended) A viewfinder optical system according to claim 3, wherein said image
inverting unit further comprises a reflecting member arranged to reflect a ray of light differently
from said first transparent body and said second transparent body, and said reflecting member [is]

made from a transparent body] comprises an entrance surface, a reflecting surface, and an exit surface.

39. (Amended) A viewfinder optical system for facilitating a reduction in the size of an optical system to which said viewfinder optical system is attached without increasing at least one of the incidence of ghost images and decentering aberration, comprising:

an objective lens unit for inverting an object image;

an image inverting unit for converting the inverted [an] object image formed via said objective lens unit into a non-inverted erecting image; and

an eyepiece lens unit for observing the non-inverted erecting image,

wherein said image inverting unit comprises a first transparent body and a second transparent body which are disposed with an interval put therebetween, said second transparent body having only a function of transmitting a ray of light, and

wherein said image inverting unit restrains creation of at least one of ghost images and decentering aberration caused by the interval between [at least one of surfaces of] said first transparent body and said second transparent body by making at least one surface of said first transparent body and said second transparent body [is] a rotationally-asymmetrical surface.

Appln. No. 09/642,807
Atty. Docket No. 00865.004491
(865.4491)

56. (Amended) A viewfinder optical system according to claim 40, wherein said image inverting unit further comprises a reflecting member arranged to reflect a ray of light differently from said first transparent body and said second transparent body, and said reflecting member [is made from a transparent body] comprises an entrance surface, a reflecting surface, and an exit surface.

DC_MAIN 96697 v 2